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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT

EASTERN DIVISION - RIVERSIDE COURTHOUSE

U.S. SPECIALTY INSURANCE CO.,

Plaintiff,

v.

XL SPECIALTY INSURANCE
COMPANY, and DOES 1 through 20,
inclusive,

Defendants.

Case Number EDCV1100617RGK(OPx)
(SBSC Case No. CIVRS 1102127)

**~~PROPOSED~~ JUDGMENT
GRANTING MOTION FOR
SUMMARY JUDGMENT OF
DEFENDANT, AND COUNTER-
CLAIMANT XL SPECIALTY
INSURANCE COMPANY
AGAINST PLAINTIFF U.S.
SPECIALTY INSURANCE CO.**

**DATE: May 14, 2012
TIME: 9:00 a.m.
DEPT: Courtroom 850**

Complaint Filed: March 16, 2011
Trial Date: June 26, 2012

Defendant, AND COUNTER-CLAIMANT XL SPECIALTY INSURANCE
COMPANY's Motion for Summary Judgment, pursuant to *Federal Rules of Civil
Procedure*, Rule 56 came on regularly for hearing in Courtroom 850, before the
Honorable R. Gary Klausner on May 14, 2012.

The Court, having considered the Moving Papers, Opposition, and Reply,
including any and all exhibits and documentary evidence referenced thereto, as well as
oral argument by the parties, grants Judgment in favor of XL SPECIALTY

1 INSURANCE COMPANY. Accordingly, It is hereby Ordered, Decreed and Adjudged
2 that Plaintiff U.S. SPECIALTY INSURANCE CO. take nothing by way of its
3 complaint and that Judgment be entered in favor of XL SPECIALITY INSURANCE
4 COMPANY as the prevailing party.

5 XL SPECIALITY INSURANCE COMPANY shall recover its costs ~~in the~~
6 ~~amount of \$ _____ as per its cost bill.~~ *by way of application*
7 *to the Clerk of the Court.*
8
9

10 DATED: 05.23.12

Gay Klausner
11 R. Gary Klausner
JUDGE OF THE U.S. DISTRICT COURT
12
13

14 Submitted by:
15 WORTHE HANSON & WORTHE
16 JEFFREY A. WORTHE, ESQ.
17 JOHN R. HANSON, ESQ.
Attorneys for Defendant,
XL SPECIALTY INSURANCE COMPANY
18

19 DATED: _____, 2011

WORTHE HANSON & WORTHE

20 By: /s/ - JOHN R. HANSON
21 JEFFREY A. WORTHE, ESQ.
22 JOHN R. HANSON, ESQ.
Attorneys for Defendant, XL
SPECIALTY INSURANCE COMPANY
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